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KENTUCKY BOARD OF NURSING

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Andy Beshear
Governor

February 19, 2021

Andy Beshear, Governor
Office of the Governor
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601

Re: Request for Withdrawal and Modification of Kentucky Board of Nursing
State of Emergency Memoranda

Dear Governor Beshear:

You signed Executive Order 2020-243 on March 18, 2020, and Executive Order 2020-257 on March 25, 2020, in regard to the COVID19 State of Emergency. On March 30, 2020, you signed Senate Bill 150 (2020) into law. Section 13 of this bill and these Executive Orders authorize the Kentucky Board of Nursing to modify regulatory and statutory provisions where appropriate to eliminate barriers to licensure caused by social distancing requirements and to ensure the continuation of Board support of Life-Sustaining Businesses. Pursuant to this authority, the Kentucky Board of Nursing has modified multiple statutory and regulatory provisions, with the approval of the Secretary of your Executive Cabinet; however, as to the following three issues, the Board has determined the modification of KBN statutes and regulations is no longer needed:

- (1) Fingerprint-driven criminal background checks – Recent implementation of the Identigo fingerprinting service has provided a method of obtaining fingerprint-driven criminal background checks that conforms to social distancing requirements. To avoid a break in licensure, and beginning 30 days from the effective date of the attached proposed memorandum, all persons granted temporary or provisional licensure in the absence of a fingerprint-driven criminal background check will be required to complete this requirement prior to the expiration of their temporary/provisional license.
- (2) NCLEX examination – Since the onset of the COVID-19 global pandemic, Pearson VUE, the administrator of the NCLEX examination, has implemented effective measures for social distancing and mask use that have resulted in resumption of testing and the elimination of the backlog of requests for testing. To avoid a break in licensure, and beginning 30 days from the effective date of the attached proposed memorandum, all persons granted temporary or provisional licensure in the absence of successful completion of

the NCLEX examination will be required to complete this requirement prior to the expiration of their temporary/provisional license.

- (3) Continuing education requirements for reinstatement applicants – Ample continuing education (CE) opportunities are now available to satisfy CE requirements applicable to reinstatement applicants. Beginning 30 days from the effective date of the attached proposed memorandum, all reinstatement applicants must satisfy applicable CE requirements. Persons who obtained reinstatement of licensure during the period of emergency modification of CE requirements will not be required to complete the CE that was waived at the time of their reinstatement application due to the state of emergency.

For the reasons stated above, we request approval of the attached memorandum, which describes the unanimous Board decision today, to withdraw emergency measures as indicated in the memorandum. We would welcome the chance to speak with you regarding this request.

Sincerely,



Jessica L. Wilson, PhD, APRN
President
Kentucky Board of Nursing



Jessica L. Estes, DNP, APRN-NP
Executive Director
Kentucky Board of Nursing

Enclosures